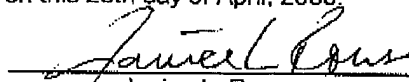


CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached was transmitted via facsimile transmission to TC 1600, via facsimile number (703) 872-9307, on this 28th day of April, 2003.


Janice L. Rouse

Attorney Docket No. 1165

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce, et al. Date: April 28, 2003
Serial No.: 09/766,399 Group Art Unit: 1634
Filed January 19, 2001 Examiner: Einsmann, J.
For: "Novel Plant Promoters and Methods of Use"

Assistant Commissioner for Patents
Washington, D.C. 20231

EXTENSION OF TIME PETITION

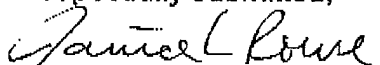
Applicant(s) hereby petition for an extension of time for response from the date of the Examiner's action as needed, the fee being as follows:

| | | |
|-------------------------------------|---|------------|
| <input checked="" type="checkbox"/> | one month extension | \$ 110.00 |
| <input type="checkbox"/> | two months extension | \$ 400.00 |
| <input type="checkbox"/> | three months extension | \$ 920.00 |
| <input type="checkbox"/> | four months extension (not beyond statutory time period) | \$1,440.00 |

Charge \$110.00 to Deposit Account No. 16-1852. Please charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. 16-1852. Also, should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Serial No.: 09/766,399
Group Art Unit: 1634

Respectfully submitted,



Janice L. Rouse
Agent for Applicant(s)
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